REMARKS

Claims 1-19 are pending in the present application. The Applicant believes that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

Rejection under 35 U.S.C. §102

The Office has maintained rejection of claims 1-19 under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2003/0041167 to French et al. (French). The Applicant respectfully traverses the Office's interpretation as French fails to disclose each and every feature of claims 1-19, as described in more detail below.

In the Final Office Action mailed on July 13, 2006, the Office has rejected the Applicant's assertion that French fails to disclose "preventing the application from executing when the device is outside the predetermined operating region" feature of the subject application. In support of the Office's rejection, the Office has cited to paragraph 286 of French. Specifically, the Office has alleged that French's disclosure of devices being used by legitimate users within specific geographical locations or regions as well as detection of devices moved to unauthorized locations by hackers is equivalent to the recited feature. The Applicant respectfully traverses the Office's interpretation for several reasons.

It is respectfully submitted that contrary to the Office's interpretation, French's disclosure as to the devices being used by legitimate users within specific geographical location or region, and detection of devices moved to unauthorized locations by hackers, is *not* equivalent to "preventing the application from executing when the device is outside the predetermined operating region" (as recited in independent claim 1), "wherein if the device is outside the predetermined operating region the application is prevented from operation" (as recited in independent claim 5), "means for preventing the application from operating if the device is

outside the predetermined operating region" (as recited in independent claim 10), or "instructions for preventing the application from operating if the device is outside the predetermined operating region" (as recited in claim 15). French's disclosure cannot be equivalent to the recited features because this disclosure has nothing to do with an application or preventing an application from executing. Particularly, using devices by legitimate users within specific geographical region or location does not disclose anything about an application, and is not directed at an application or preventing an application from executing. Nor is the detection of unauthorized move of a device by hackers directed at an application or preventing an application from executing.

Furthermore, the Office's contention is not supported by the cited paragraphs of French, or the entire disclosure of French. Specifically, there is no disclosure in French that an application is prevented from operating if a hacked device is outside the authorized region. Actually, the Applicant submits that contrary to the Office's interpretation, there is no disclosure in French that an action, if any, is taken if a device is moved to an unauthorized location by a hacker. Nor is there any disclosure in French that the execution of an application (if an application is disclosed in French, a proposition with which the Applicant disagrees) is prevented as opposed to other alternatives, such as interrupting the operation of the hacked device. In fact, paragraph 286 of French has nothing to do with an application or preventing the execution of an application on a device. Rather, it is focused on a situation wherein a hacker has stolen a laptop and has means for spoofing the identity of the legitimate user of the laptop.

Next, in paragraphs 1 and 2 of the Final Office Action, the Office has rejected the Applicant's interpretation that French fails to disclose "associating a geographic identifier with the application" and "downloading the application and the geographic identifier to the device" features of the subject application. Specifically, the Office has cited to paragraph 16 of French

asserting that French discloses associating geographic location identifiers with network resources, including applications. The Office has further cited to paragraphs 232, 287, and 291 of French, alleging that French's disclosure of software being distributed on the devices based on the geographical information corresponds to the downloading of the application and the geographic identifier of the subject application. The Applicant respectfully traverses the Office's interpretations as described below.

For instance, in contrast to the Office's assertion, paragraph 16 of French does not disclose "associating a geographic identifier with the application" feature of the subject application. Rather, in the cited paragraph, French only associates geographic location identifiers with endpoints, systems, and networks. In the same paragraph, French discloses that network resources can be identified based on geographic location information associated with the endpoints, systems, and networks. Therefore, based on the explicit disclosure of the paragraph cited by the Office, there is no disclosure (or suggestion) *to associate* a geographic identifier with an application.

Furthermore, the Applicant submits that apart from broad statements, the Office has not provided the Applicant with any reasoning that supports the Office's allegation. Nevertheless, as described in more detail below, the Applicant submits that French's disclosure as to software being distributed on the devices based on previously determined geographical information does not correspond to the downloading of an application and geographic identifier feature of the subject application.

The Applicant respectfully submits that the cited paragraph only discloses distribution of software based on geographical information of a device. There is no disclosure as to associating the geographical information with the software. Furthermore, even if French discloses that a geographical information can be associated with the software (a proposition with which the

Applicant disagrees), the cited paragraph does not disclose distributing of the software *and the geographical information associated with the software*.

In fact, the entire disclosure of French does not disclose (or suggest) associating a geographic identifier with a software and after associating, downloading the software and the geographic identifier to the device. Rather, paragraph 291 of French describes distributing software to the devices within the network based on the geographic location information previously associated with *each device, and not the software*.

Still further, citing to paragraphs 91, 94, 97, 166, 217, and 259 of French, the Office has alleged that French discloses generating a digital signature for the geographic identifier (as recited in dependent claim 2), a geographic database that comprises logic to generate a digital signature for the geographic identifier (as recited in claim 8), means for generating a digital signature for the geographic indicator (as recited in dependent claim 13), or instructions for generating a digital signature for the geographic identifier (as recited in dependent claim 18). For at least the following reasons, the Applicant respectfully traverses the Office's interpretation.

The Applicant respectfully submits that contrary to the Office's assertion, none of the cited paragraphs disclose (or suggest) generating a digital signature for the geographic location information of French. For instance, paragraph 91 describes queuing the action objects on the gateways while paragraph 94 describes the components of the AOIP class. Paragraph 97 explains using the NELS service to find a route to communicate between the application and the appropriate endpoint. Paragraph 166 describes a set of components that may be used to implement scope based security access. The paragraph explains a login security subsystem which provides a typical authentication service for verifying the identity of the users during a login process. Paragraph 217 describes a user security subsystem that provides a user authentication and authorization service that may be used to verify the identity of the users such

as administrators. Lastly, paragraph 259 explains that the task of authenticating and authorizing the administrative action of many individuals in a highly distributed system is quite complex.

It is respectfully submitted that none of the cited paragraphs disclose (or suggest) generating a digital signature for a geographical identifier associated with an application. Nor does the entire disclosure of French disclose (or suggest) generating a digital signature for a geographical identifier.

Based on any one or any combination of the aforementioned reasons, the Applicant respectfully requests that the Office withdraw the rejection of claims 1-19 under 35 U.S.C. § 102.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated August 27, 2006

By: /Robert J. O'Connell/
Robert J. O'Connell
Reg. No. 44,265
(858) 651-4361

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502